

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

OPIE

JUL 21 2000
U.S. PATENT & TRADEMARK OFFICE

FEE TRANSMITTAL FOR PATENT APPLICATIONS	Attorney Docket Number	0054.1088-015
	Application Number	09/540,843
	First Named Inventor	Barbara A. Gilchrest

CLAIM CALCULATION (includes any preliminary amendment)

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c) or (j))	70 - 20* =	50	x \$ 18 =	\$ 900
	INDEPENDENT CLAIMS (37 CFR 1.16(b) or (i))	16 - 3** =	13	x \$ 78 =	\$ 1014
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$ 260 =	\$
				BASIC FEE (37 CFR 1.16(a) or (h))	\$ 690
			Total of above Calculations =		\$ 2604
			Reduction by 50% for filing by small entity (37 CFR 1.9, 1.27, 1.28) =		\$
			TOTAL =		\$ 2604
			Surcharge - Late Filing of Declaration or Filing Fees (37 C.F.R. 1.16(e)) =		\$ 130
			Petition for Extension of Time Fee (37 C.F.R. 1.17) =		\$
			Assignment Recordation Fee = (only when filed with application)		\$
	* Reissue claims in excess of 20 and over original patent ** Reissue independent claims over original patent			TOTAL =	\$ 2734

1. Small entity status:
 - A small entity statement is enclosed.
 - A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
 - Is no longer claimed.
2. A general authorization is hereby granted to charge deposit account number 08-0380 for any fees required under 37 CFR 1.16 and 1.17 in order to maintain pendency of this application. A copy of this authorization is enclosed for accounting purposes.
3. A check is enclosed for \$2734.00. Please charge \$[] to Deposit Account No. 08-0380.
4. Other: _____

Signature	<i>Carol A. Egner</i>	Date	<i>July 18, 2000</i>
Submitted by Typed or Printed Name	Carol A. Egner	Reg. Number	38,866

Scotter

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barbara A. Gilchrest, Mina Yaar, and Mark Eller
Application No.: 09/540,843 Group: 1635
Filed: March 31, 2000 Examiner: Unassigned
For: USE OF LOCALLY APPLIED DNA FRAGMENTS



CERTIFICATE OF MAILING	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231	
on <u>July 18, 2000</u>	<u>Deborah J. England</u> _____ Signature
<u>Deborah J. England</u> _____ Typed or printed name of person signing certificate	

REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts dated July 3, 2000, the following documents and fees are being submitted for filing in the captioned application:

EXECUTED DECLARATION/POWER OF ATTORNEY - A copy of the Notice is attached.
(Separate transmittal letter and postcard not required)

FILING FEE - with Fee Transmittal for Patent Applications in duplicate.
(Separate transmittal letter and postcard not required)

SURCHARGE - surcharge fee of \$130.00.
(Separate transmittal letter and postcard not required)

SEQUENCE LISTING - Filed concurrently and is attached.
(Separate transmittal letter and postcard required)

[] PETITION FOR EXTENSION OF TIME

[] Applicant hereby petitions to extend the time to respond to the Notice to File Missing Parts dated [] for [] month(s) from [] to []. The appropriate fee of \$[] is included in the enclosed check.

[] A [] month extension of time to respond to the Notice to File Missing Parts dated [] was filed on [] with payment of a \$[] fee.

[] Applicant hereby petitions for an additional [] month extension of time to respond to the Notice to File Missing Parts. The appropriate fee of \$[] is included in the enclosed check.

(Separate Petition for Extension of Time and postcard not required)

[X] REQUEST FOR CORRECTED FILING RECEIPT - Filed concurrently and is attached.

(Separate transmittal letter and postcard required)

[] VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

[] Was filed on [].

[] Is enclosed herewith.

(Separate transmittal letter and postcard not required)

[] In view of the small entity status of the captioned application, we hereby request a reimbursement of 50% of the filing fees in the amount of \$[] which were paid on [] to be deposited in Deposit Account No. 08-0380.

The fees required for filing the indicated documents are enclosed in the form of a check in the total amount of \$2,734.00. Please charge any deficiency or credit any overpayment in the fees that may be due in this matter to Deposit Account No. 08-0380. A copy of this letter is enclosed for accounting purposes.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No.: 38,866
Tel.: (781) 861-6240
Fax: (781) 861-9540

Lexington, Massachusetts 02421-4799

Date: July 18, 2000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Barbara A. Gilchrest, Mina Yaar, and Mark Eller
Application No.: 09/540,843 Group: 1635
Filed: March 31, 2000 Examiner: Unassigned
For: Use of Locally Applied DNA Fragments



CERTIFICATE OF MAILING	
<p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231</p>	
<u>July 18, 2000</u>	<u>Deborah J. Englund</u>
Date	Signature
<u>Deborah J. Englund</u>	
Typed or printed name of person signing certificate	

REQUEST FOR CORRECTED FILING RECEIPT

Office of Initial Patent Examination
Customer Service Center
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir.

In view of the concurrently filed Declaration/Power of Attorney, we hereby request that the following items of information be corrected in/added to the Filing Receipt for the subject application received in this office on July 6, 2000.

In the Applicant(s) section, please correct the spelling of the first named inventor from Gilchrist to ---Gilchrest---.

In the Applicant(s) section, please add the residences of the inventors as follows:

---Barbara A.Gilchrest, Boston, Massachusetts; Mina Yaar, Sharon, Massachusetts; Mark Eller, Boston, Massachusetts ---.

Enclosed is a copy of the Filing Receipt with changes noted in red, including a copy of the supporting document, namely, the concurrently filed Declaration/Power of Attorney.

Pursuant to instructions in the February 29, 2000 O.G., we hereby request that the errors which are identified above be corrected in the captioned application to which this request for correction is directed. It is understood that the Patent Office will issue an automatically-generated, corrected Filing Receipt in all affected applications.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By Carol A. Egner
Carol A. Egner
Registration No.: 38,866
Telephone: (781) 861-6240
Facsimile: (781) 861-9540

Lexington, MA 02421-4799

Date: July 18, 2000

::ODMA\HODMA\Manage;147031;1

FILING RECEIPT



OC00000005216512

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficAddress: ASSISTANT SECRETARY AND
COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
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09/540,843 03/31/2000 1635 0 0054.1088-015 14 70 16

Doreen M. Hogle Esq.
HAMILTON BROOK SMITH & REYNOLDS P.C.
Two Militia Drive
Lexington, MA 02421-4799



Date Mailed: 07/03/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate an other Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Gilchrist

Barbara A. Gilchrist, Residence Not Provided, Boston, Massachusetts;
Mina Yaar, Residence Not Provided, Sharon, Massachusetts;
Mark Eller, Residence Not Provided, Boston, Massachusetts;

Continuing Data as Claimed by Applicant

THIS APPLICATION IS A CIP OF 09/048,927 03/26/1998
WHICH IS A CIP OF 08/952,697 11/30/1998
WHICH IS A CIP OF 08/467,012 06/06/1995 PAT 5,955,059

Foreign Applications

If Required, Foreign Filing License Granted 06/30/2000

Title

Use of locally applied DNA fragments

Preliminary Class

514

#3

FORMALITIES LETTER



OC000000005216513

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/540,843	03/31/2000	Barbara A. Gilchrist	0054.1088-015

Doreen M. Hogle Esq.
HAMILTON BROOK SMITH & REYNOLDS P.C.
Two Militia Drive
Lexington, MA 02421-4799



Date Mailed: 07/03/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1914.
 - \$900 for 50 total claims over 20.
 - \$1014 for 13 independent claims over 3 .
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 2734.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/26/2000 MBERHE 00000021 09540843

01 FC:101	690.00	OP
02 FC:105	130.00	OP
03 FC:103	900.00	OP
04 FC:102	1014.00	OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application**COPY**

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

USE OF LOCALLY APPLIED DNA FRAGMENTS

the specification of which (check one)

is attached hereto.

was filed on March 31, 2000 as United States Application

Number or PCT International Application No. 09/540,843

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	NO
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number) _____	(Filing Date) _____
(Application Number) _____	(Filing Date) _____

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/048,927 (Application Serial No.)	March 26, 1998 (Filing date)	pending (Status: patented, pending, abandoned)
08/952,697 (Application Serial No.)	June 3, 1996 (Filing date)	pending (Status: patented, pending, abandoned)
08/467,012 (Application Serial No.)	June 6, 1995 (Filing date)	patented (Status: patented, pending, abandoned)
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the attorneys and/or agents associated with
Hamilton, Brook, Smith & Reynolds, P.C., Two Militia Drive, Lexington, Massachusetts 02421-4799
Customer No. 21005,

and _____

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

Customer No. 21005
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, MA 02421-4799

or

[]
Address as follows:

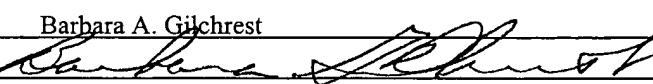
Direct telephone calls to: Doreen M. Hogle Telephone No.: 781-861-6240

Direct facsimiles to: Doreen M. Hogle Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Barbara A. Gilchrest

Inventor's Signature  Date 6/26/00

Residence 343 Commercial Street, Union Wharf #27

Boston, Massachusetts 02109

Citizenship USA

Post Office Address Same as above

Full name of second joint

inventor, if any Mina Yaar

Inventor's Signature _____ Date _____

Residence 53 Lantern Lane

Sharon, Massachusetts 02067

Citizenship Israel

Post Office Address Same as above

Full name of third joint

inventor, if any Mark Eller

Inventor's Signature _____ Date _____

Residence 49 Warren Avenue, #4

Boston, Massachusetts 02116

Citizenship USA

Post Office Address Same as above

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name:

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

USE OF LOCALLY APPLIED DNA FRAGMENTS

the specification of which (check one)

[] is attached hereto.

[X] was filed on March 31, 2000 as United States Application
Number or PCT International Application No. 09/540,843
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>	Priority Not Claimed	Certified Copy Filed? YES	Certified Copy Filed? NO
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[] [] []
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[] [] []
(Number) _____	(Country) _____	(Day/Month/Year filed) _____	[] [] []

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number) _____	(Filing Date) _____
(Application Number) _____	(Filing Date) _____

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(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

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Customer No. 21005,

and _____,

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Two Militia Drive
Lexington, MA 02421-4799

or

Address as follows:

Direct telephone calls to: Doreen M. Hogle Telephone No.: 781-861-6240

Direct facsimiles to: Doreen M. Hogle Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Barbara A. Gilchrest
Inventor's Signature  Date 6/19/00

Residence 343 Commercial Street, Union Wharf #27
Boston, Massachusetts 02109

Citizenship USA

Post Office Address Same as above

Full name of second joint

inventor, if any Mina Yaar

Inventor's Signature Lee Taee Date 6/19/00

Residence 53 Lantern Lane

Sharon, Massachusetts 02067

Citizenship Israel

Post Office Address Same as above

Full name of third joint

inventor, if any Mark Eller

Inventor's Signature Mark Eller Date 6/19/00

Residence 49 Warren Avenue, #4

Boston, Massachusetts 02116

Citizenship USA

Post Office Address Same as above